

REMARKS

This Amendment is in response to the Office Action mailed on January 25, 2006. In the Office Action, claims 1-20 were pending. All pending claims were rejected. With this Amendment, claims 1, 3 and 12 are amended and claim 2 is canceled. Reconsideration and allowance of all pending claims is respectfully requested.

As a preliminary matter, the Applicant has found that the Information Disclosure Statements mailed March 29, 2004 and May 26, 2004 and received by the USPTO on April 1, 2004 and June 1, 2004 were only partially acknowledged. The Applicant respectfully requests that the Examiner acknowledge those references in the Information Disclosure Statements that were not previously acknowledged. Copies of the partially acknowledged Information Disclosure Statements and uninitialed references are enclosed herewith.

On page 2, the Office Action states that claims 1-20 were rejected under 35 U.S.C. §102(b) as being anticipated by Bares (U.S. Patent No. 6,299,207). Independent claims 1 and 12 have been amended to more clearly describe the present invention and to incorporate features of claim 2. Accordingly, claim 2 is canceled.

The Applicant respectfully submits that the cited reference fails to teach or suggest "an operator actuatable input assembly including a mounting bracket attached to the operator seat and an armrest pivotally coupled to the mounting bracket at a pivot point" as claimed in claim 1. The Applicant also respectfully submits that the cited reference fails to teach or suggest "a cab coupled to the rigid frame and defining an operator compartment, the operator compartment including an operator platform having an operator seat and an operator back" and "a mounting bracket coupled to a portion of the operator seat" as claimed in claim 12. Instead, as described in col. 2 lines 3-17 and illustrated in FIGS. 1-3, Bares clearly discloses "an operator restraint bar 20" mounted to a rear wall 14 of a cab 10. For at least this reason, the Applicant respectfully submit that independent claims 1 and 12 are in allowable form. Further, the Applicant submits that dependent claims 3-11 and 13-20 are also in allowable form at least based on their relation to independent claims 1 and 12.

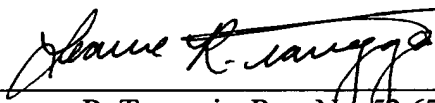
For the reasons mentioned above, it is respectfully submitted that all pending claims, namely claims 1 and 3-20 are in condition for allowance. Favorable action is respectfully requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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